Virginia Department of Health Division of Disease Prevention

HIV Care Services

Service Standards: Based on the Health Resources and Services Administration (HRSA)

Policy Clarification Notice (PCN) # 16-02

Substance Abuse Services (Residential) Standards

Description:

Description:

Substance Abuse Services (Residential) is the provision of services for the treatment of drug or alcohol use disorders in a residential setting to include:

- Screening;
- Assessment;
- Diagnosis; and/or
- Treatment of substance use disorder that includes:
 - o Pretreatment/recovery readiness programs
 - Harm reduction
 - o Behavioral health counseling associated with substance use disorder
 - Medication assisted therapy
 - o Neuro-psychiatric pharmaceuticals
 - o Relapse prevention
 - Obetoxification, if offered in a separate licensed residential setting (including a separately licensed detoxification facility within the walls of an inpatient medical or psychiatric hospital).

Program Guidance:

Substance Abuse Services (Residential) is permitted only when the client has received a written referral from the clinical provider as part of a substance use disorder treatment program funded under the RWHAP.

Acupuncture therapy may be allowable funded under this service category only when it is included in a documented plan as part of a substance use disorder treatment program funded under the RWHAP.

RWHAP funds may not be used for inpatient detoxification in a hospital setting, unless the detoxification facility has a separate license.

All service provision will comply with the Department of Health and Human Services (HHS) Guidelines and the Commonwealth of Virginia Department of Health (VDH) Service Standards for persons living with HIV, including the following:

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

1.0 Intake and Eligibility

National Monitoring Standards: Eligibility determination process requiring documentation in client medical records of low-income status and eligibility based on a specified percent of the FPL and proof of an individual's HIV-positive status, residency. Determination and documentation of client eligibility every six months.ⁱ

Human Services and Services Administration (HRSA), the funder for Ryan White HIV Services, prohibits continued HIV services, including medications to clients who are not recertified for eligibility of services by their specified date; therefore, if a client has not completed their annual certification or recertification at six months they may not be eligible for Ryan White services. ii

Joi Ryan vinue services.	
Standard	Measure
1.1) The client's eligibility for Ryan White	1.1) Documentation of the client's eligibility
Part B services is determined or is in process of	or that the eligibility process has been
determination before services are initiated.	initiated and is present in the client's record.
1.2) Client must be recertified annually and	1.2) Documentation of the client's eligibility
recertification must occur every six months to	or that the eligibility process has been
receive Ryan White services. There is no grace	initiated and is present in the client's record.
period.	
1.3) A referral by a Ryan White Part B	1.3) Documentation of the referral by a Ryan
provider is made for initiation of services.	White Part B provider is present in the
	client's record, signed and dated.
1.4) To be eligible for this service applicants	1.4) Documentation is present in files that
must:	verifies:
a) Be diagnosed with HIV	a) Client is diagnosed with HIV
b) Live in Virginia	b) Client lives in Virginia
c) Have an individual or family income at	c) Client meets income guidelines
or below 500% of the Federal Poverty	d) Client Medicaid status (gap of
Level (FPL)	services)
d) Ryan White Part B is the payer of last	e) Recertification for continued
resort and other funding sources must	eligibility for Part B services every six
be vigorously pursued. Providers are	months
responsible to ensure that clients are	f) Client agrees to participate in
screened and deemed ineligible for	insurance option that best meets their
other payer sources covered by Federal	medical needs and for which the client
or State programs such as Medicare,	is eligible.
Medicaid, all other forms of insurance	
or third party payers such as private and	
commercial insurance plans, and other	
payers.	
e) Provide recertification every six	
months with proof of income, changes	
in insurance coverage, or any changes	
in residency	

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards— Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

f) Client eligibility ensures Part B services are used as the payer of last resort. Client must agree to participate in the insurance option client is eligible and that best meets the client's medical needs regardless of preference.

Note: The Part B Program is the payer of last resort. This is interpreted as "funds received...will not be utilized to make payments for any item or service to the extent that payment has been made, or can reasonably be expected to be made..." by another payment source.ⁱⁱⁱ

Apply through the VDH Central Office or through agency's eligibility services.

2.0 Key Services Components and Activities (include assessment and service plan)

Standard	Measure
Substance Abuse Treatment (Residential) address substance abuse problems (including	
alcohol and/or legal and illegal drugs) in a short-	1 , ,
2.1) Services to be provided by or under the	2.1) Documentation that provider licensure or
supervision of a physician or other qualified	certifications as required by the State in which
personnel with appropriate and valid licensure	service is provided;
and certification by the State in which the	
services are provided.	Provide assurance that all services are
	provided in a short-term residential setting.
2.2) Services to be provided in accordance	2.2) Maintain program files that document:
with a treatment plan.	That all services provided are allowable
	under this service category
	• The quantity, frequency, and modality of
2.2) D. (1.11.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.	treatment services.
2.3) Detoxification to be provided in a separate	2.3) Services are provided in accordance with
licensed residential setting (including a	a written treatment plan. Maintain client records that document:
separately-licensed detoxification facility within the walls of a hospital).	The date treatment begins and ends
within the wans of a nospitar).	Individual treatment plan
	Evidence of regular monitoring and
	assessment of client progress.
	assessment of enem progress.
	Assurance that services are provided only in a
	short-term residential setting.

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards— Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

Assessment/Service Plan/Provision of Services 2.4) An initial substance abuse assessment of 2.4) Documentation of assessment in client's client's needs to be completed within 10 days record signed and dated. of initial contact with client and prior to the initiation of the service plan. Assessment to include: Substance use history and current status Medical history and current health Availability of food, shelter, transportation, financial resources Support system Legal issues/custody status Mental health status and co-existing conditions. 2.5) If substance abuse serves are deemed 2.5) Documentation of treatment plan in appropriate, a substance abuse treatment plan client's record signed and dated. is developed within 30 days of the initial assessment to include: Diagnosed condition Treatment modality (individual or group) • Treatment goals Start date for start date for services Projected end date for services Recommended number of sessions Reassessment dates of client progress. *Note:* Substance abuse services must be provided by or under the supervision of a physician or other qualified/licensed personnel. (See 5.0 Personnel Qualifications) 2.6) A complete psychosocial assessment will 2.6) Documentation of complete psychosocial be completed. Results of the assessment will assessment in client's record signed and be used to complete the treatment plan as dated. necessary. 2.7) Substance abuse services, provided as 2.7) Documentation of mental health group or individual sessions, should be specific services provided in client's record signed to individual client needs. Progress notes and dated. should be completed for every counseling session and include:

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards— Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

Session date and duration Focus of session and observations Assessment and interventions Newly identified issues/goals Client's responses to interventions and referrals. 2.8) Treatment options shall be a joint decision 2.8) Documentation of treatment between the client and provider and should modalities employed in client's record address the full spectrum of substance use. signed and dated. If provided, referral for Services are limited to the following: acupuncture services in client's record signed and dated. • Pre-treatment/recovery readiness programs Harm reduction Mental health counseling to reduce depression, anxiety and other disorders associated with substance abuse Outpatient drug-free treatment and counseling • Opiate Assisted Therapy Neuro-psychiatric pharmaceutical Relapse prevention Limited acupuncture services. *Note:* For any client receiving acupuncture services, a written referral from the primary care provider must be in the client file. 2.9) Treatment plan is reviewed at least every 2.9) Documentation of review and update 12 sessions and modified as appropriate. of treatment plan as appropriate signed and dated. 2.10) Documentation of referrals made 2.10) Refer client to other medical, mental and status of outcome in client's record. health and other services as appropriate, e.g. psychiatric services, mental health services, inpatient hospitalization, case management. Transition and Discharge 2.11) Client discharged when mental health 2.11) Documentation of discharge plan and services are no longer needed, goals have been summary in client's record with clear met, upon death or due to safety issues. (see rationale for discharge within 30 days of 2.12)

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards— Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

Prior to discharge: Reasons for discharge and options for other service provision should be discussed with client. Whenever possible, discussion should be occurring face-to-face. If not possible, provider should attempt to talk with client via phone. If verbal contact is not possible, a certified letter must be sent to client's last known address. If client is not present to sign for the letter, it must be returned to the provider.

discharge, including certified letter, if applicable.

Documentation: Client's record must include:

- a) Date services began
- b) Special client needs
- c) Services needed/actions taken, if applicable
- d) Date of discharge
- e) Reason(s) for discharge
- f) Referrals made at time of discharge, if applicable.

<u>Transfer:</u> If client transfers to another location, agency or service provider, transferring agency will provide discharge summary and other requested records within 5 business days of request. If client moves to another area, transferring agency will make referral for needed services in the new location.

<u>Unable to Locate:</u> If client cannot be located, agency will make and document a minimum of three follow-up attempts on three separate dates (by phone or in person) over a three-month period after first attempt. A certified letter must be mailed to the client's last known mailing address within five business days after the last attempt to notify the client. The letter will state that the case will be closed within 30 days from the date on the letter if an appointment with the provider is not made.

<u>Withdrawal from Service:</u> If client reports that services are no longer needed or decides to no longer participate in the Service Plan, client

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards— Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

may withdraw from services. Because clients may withdraw for a variety of reasons it may be helpful to conduct an exit interview to ensure reasons for withdrawal are understood, or identify factors interfering with the client's ability to fully participate if services are still needed. If other issues are identified that cannot be managed by the agency clients should be referred to appropriate agencies.

Administrative Discharge: Clients who engage in behavior that abuses the safety or violates the confidentiality of others may be discharged. Prior to discharging a client for this reason, the case must be reviewed by the leadership according to that agency's policies. Clients who are discharged for administrative reasons must be provided written notification of and reason for the discharge, and must be notified of possible alternative resources. A certified letter that notes the reason for discharge and includes alternative resources must be mailed to the client's last known mailing address within five business days after the date of discharge, and a copy must be filed in the client's chart.

Case Closure

2.12) Case will be closed if client:

- a) Has met the service goals;
- b) Decides to transfer to another agency;
- c) Needs are more appropriately addressed in other programs;
- d) Moves out of state;
- e) Fails to provide updated documentation of eligibility status thus, no longer eligible for services;
- f) Fails to maintain contact with the mental health assistance staff for a period of three months despite three (3) documented attempts to contact client;

2.12) Documentation of case closure in client's record with clear rationale for closure.

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards— Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

- g) Can no longer be located;
- h) Withdraws from or refuses funded services, reports that services are no longer needed, or no longer participates in the individual service plan;
- i) Exhibits pattern of abuse as defined by agency's policy.
- j) Becomes housed in an "institutional" program anticipated to last for a minimum of 30 days, such as a nursing home, prison or inpatient program; or
- k) Is deceased.

3.0 Client Rights and Responsibilities

National Monitoring Standards: Provision of Part B funded HIV primary medical care and support services, to the maximum extent, without regard to either: the ability of the individual to pay for such services, or the current or past health conditions of the individuals served. iv

to pay for such services, or the current or past in	tourn conditions of the mantautus serveu.
Standard	Measure
3.1) Services are available and accessible to	3.1) Written eligibility requirements and non-
any individual who meets program eligibility	discrimination policy on file.
requirements.	
All providers shall be in compliance with all applicable federal, state, and local anti-discrimination laws and regulations, including but not limited to the American's with Disabilities Act. All providers shall adopt a non-discrimination policy prohibiting the refusal of rendering services on the basis of fact or perception of race, color, creed, religion, national origin, ancestry, age, sex, sexual orientation, gender identity, domestic partner status, marital status, height, weight, disability, or HIV/AIDS diagnosis.	
Each provider shall make available to clients a process for requesting interpretation services, including American Sign Language.	2.2) Writton policy on file
3.2) Clients Rights and Responsibilities policy exists which requires each client to sign & date	3.2) Written policy on file.
indicating they has been offered: a) explanation	

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

of the	policy, and b) copy of 'Client's Rights	
	esponsibilities and c) communication of	
	s understanding of the policy.	
	xplanation of <i>Client's Rights and</i>	3.3) Current Client's Rights and
	nsibilities is provided to each client.	Responsibilities form signed and dated by
l and the second	F	client and located in client's record.
Client	rights include:	21.01.0 0.1.0 1.0 0.0.0 0 1.0 0.1 0.1 0.1
0	Be treated with respect, dignity,	
	consideration, and compassion;	
0	Receive services free of discrimination;	
0	Be informed about services and options	
	available.	
0	Participate in creating a plan of	
	services;	
0	Reach an agreement about the	
	frequency of contact the client will	
	have either in person or over the phone.	
0	File a grievance about services received	
	or denied;	
0	Not be subjected to physical, sexual,	
	verbal and/or emotional abuse or	
	threats;	
0	Voluntary withdraw from the program;	
0	Have all records be treated	
	confidentially;	
0	Have information released only when:	
0	A written release of information is	
	signed;	
0	A medical emergency exists;	
0	There is an immediate danger to the	
	client or others;	
0	There is possible child or elder abuse;	
	or	
0	Ordered by a court of law.	
Client	responsibilities include:	
0	Treat other clients and staff with	
	respect and courtesy;	
0	Protect the confidentiality of other	
	clients;	
0	Participate in creating in a plan of	
	service;	
0	Let the agency know any concerns or	
	changes in needs;	

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

0	Make and keep appointments, or when	
	possible to phone to cancel or change	
	an appointment time;	

 Stay in contact with the agency by informing the agency of change in address and phone number, as well as responding to phone calls and mail and

 Not subject the agency's staff to physical, sexual, verbal and/or emotional abuse or threats.

4.0 Grievance Process	
Standard	Measure
4.1) Grievance policy exists which requires each client to sign & date form indicating they has been offered: a) explanation of the policy, and b) copy of <i>Grievance Procedure</i> and to communicate client's understanding of the policy.	4.1) Written grievance procedure on file, available in languages and formats appropriate to populations served.
Policy shall describe the process for resolving client grievances, including identification of whom to contact and applicable timelines. Policy shall be available in languages and formats (e.g. for persons with disabilities) appropriate to populations served.	
4.2) Explanation of <i>Grievance Procedure</i> is provided to each client.Clients may file a grievance if their request for services is denied or if they have any complaint or concern about the services received.	4.2) Current <i>Grievance Procedure</i> form signed and dated by Client and located in client's record.
4.3) Grievance process shall be fair and expeditious for resolution of client grievances.	4.3) Documentation of client grievances, status and resolution.
4.4) Review of grievance policy yearly with client signature.	4.4) Current <i>Client's Rights and Responsibilities</i> form signed and dated by client and located in client's record.

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

5.0 Personnel Qualifications	
Standard	Measure
5.1) All substance abuse (outpatient) service providers and substance abuse counselors will have appropriate and valid licensure/certification as required by the Commonwealth of Virginia.	5.1) Copy of current licensure and/or certification in personnel file.
 5.2) Newly employed substance abuse professionals must complete orientation within 90 days of hire and include training on: Hepatitis B and C Sexually Transmitted Diseases Tuberculosis Referral for crisis intervention policy/procedures Confidentiality Emergency and safety procedures Cultural competency 	5.2) Documentation of training completed in personnel file.
5.3) All substance abuse professionals must complete 2 hours of continuing education in HIV/AIDS treatment or care annually.	5.3) Documentation of training complete in personnel file
5.4) A substance use disorder treatment supervisor shall be a Certified Clinical Supervisor.	5.4) Documentation of certification in personnel file.
5.5) A written policy regarding regular supervision of all licensed staff will be in place.	5.5) Documentation of supervision according to agency policy.
5.6) The provider agency must be a licensed facility with outpatient substance use treatment designation and must comply with the rules and standards established by DBHDS.	5.6) Agency will have documentation on site that license is current for the physical location of the treatment facility.
6.0 Cultural and Linguistic Competency	
Standard	Measure
6.1) Health services are culturally and linguistically competent, client-guided and community based. At a minimum, provider's documentation should include:	6.1) Documentation of cultural and linguistic competence as reported in annual Cultural and Linguistic Competency Report.

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

a) Experience with providing services to the diverse ethnic, linguistic, sexual or	
cultural populations targeted;	
b) Capacity of staff, including volunteers	
and Board, to design, provide and	
evaluate culturally and linguistically	
appropriate services; and	
c) List of cultural competency trainings	
completed by staff.	
6.2) Easy-to-understand print and multimedia	6.2) Culturally and linguistically appropriate
materials and signage in the languages	materials and signage accessible.
commonly used by the populations in the	
service area shall be available.	
	I

7.0 Privacy and Confidentiality (including securing records)

7.0 Privacy and Confidentiality (including securing records)	
Standard	Measure
7.1) Client confidentiality policy exists which	7.1) Written Client confidentiality policy on
include:	file at provider agency.
a) Release of information requirements,	
and	
b) Health Insurance Portability and	
Accountability Act.	
7.2) Client's consent for release of information is determined.	7.2) Current <i>Release of Information Form</i> signed and dated by client and provider representative and located in client's record. Each release form indicates who may receive the client's information and has an expiration of not more than 12 months from date of signature.
7.3) Each client file is stored in a secure	7.3) Files stored in locked file or cabinet with
location. Electronic client records are protected	access limited to appropriate personnel.
from unauthorized use.	Electronic files are secure with password protection and access is limited to appropriate personnel.
7.4) Annual submission of <i>Verification of</i>	7.4) Documentation of signed <i>Verification of</i>
Receipt of Assurance of Key Requirements	Receipt of Assurance of Key Requirement
document by all staff that handle client	forms.
identifying information.	

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

8.0 Quality Management

National Monitoring Standards: Implement a Clinical Quality Management Program (CQM) to include: a) written QM plan; b) quality expectations for providers and services; c) method to report and track expected outcomes; d) monitoring of provider compliance with HHS treatment guidelines and Part B Program's approved Standards of Care.

Standard	Measure
8.1) Measure and report client health outcomes using Substance Abuse Services approved by VDH.	 8.1) Performance measurement data on the following indicators: Percentage of persons living with HIV and receiving Substance Abuse Services, regardless of age, who will have at least two care markers in a 12 month period that are at least 3 months apart (Care marker defined as evidence of a HIV medical care visit date, a CD4 count and test date, a viral load value and test date, and/or an antiretroviral medication prescription and date).
	Percentage of people enrolled in RW Part B-funded Program living with HIV and receiving Substance Abuse Services, regardless of age, who will have an HIV viral load lesser than 200 copies/mL at last HIV viral load test during the measurement year.

https://www.thinkculturalhealth.hhs.gov/assets/pdfs/EnhancedNationalCLASStandards.pdf

Substance Abuse Services (Residential) Standards

HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 46-48

Policy Clarification Notice (PCN) #16-02 (Revised 10/22/2018)

¹ HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), p. 23.

ii HRSA/HAB Ryan White HIV/AIDS Program Services: Clarifications on Ryan White Program Eligibility Determinations and Recertification Requirements Policy Clarification Notice #13-02

iii Public Health Service Act; Sections 2605(a)(6), 2617 (b) (7) (F), 2664 (f) (1), and 2671 (i).

^{iv} HRSA/HAB Division of State HIV/AIDS Programs National Monitoring Standards—Program Part B (April, 2013), pp. 61-62.

 $^{^{\}rm v}$ National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care. Available at: